

# DAILY KENTUCKY YEOMAN.

VOL. XIV.

DAILY KENTUCKY YEOMAN.  
THURSDAY..... DECEMBER 7, 1865.

(For the Yeoman.)  
EARLY RECOLLECTIONS.  
BY L. T.

In one of my early recollections I alluded to a source of much trouble to the people of Campbell county, growing out of the location of their seat of justice. Newport, the county town, was some twenty-six miles from the extreme points of the county. That portion of the people who lived in what is now Kenton county, had Licking river to cross to get to their seat of justice. There was the rival town of Visalia, towards the upper end of the county, on the west side of the Licking, and the city of Alexandria on the east side, whose people wanted the court-house and jail in their midst. Covington would now and then make a little growl. The Legislature allowed the question to be voted upon by the people several times, and thus gave rise to electioneering, log-rolling, and all manner of short turnings to get votes.

Whisky, that grand panacea for cold weather and hot weather—for the corn field and court-house—for quickening the reasoning powers and giving courage to the timid—that makes poor men rich, and rich men happy, was a great instrument in elections.

Barbecues, bungs, and stump speaking, from the first dawning of spring until after the election, the first week in August, took up much time which might have been better employed. But people were learning how to locate their seat of justice permanently, and who to vote for as representatives in the Legislature and in Congress.

Those were great days in old Campbell, and many a bloody nose and bruised profile were to be seen on three days of the election. Boys took part, somewhat like the young gentlemen do at the present day, and now and then they got some rough usage.

On one of the grand contests for the seat of justice, I concluded to take a hand at a little electioneering; so I made a bet of a treat, with a deputy sheriff from the upper end of the county, that a proposition made by the proprietors of Visalia to build a court-house was not binding in the form it was made, and according to the law, and I was to take the acts of the Legislature to Visalia on the first day of the election, and the question was then and there to be decided. I went as agreed upon, and we left the decision to the judges of elections, and they decided in my favor. My electioneering argument was that if people voted to locate at Visalia they would be taxed heavily to build the public buildings, the proprietors not being bound by their proposition to put up the buildings in the way it was made.

As between myself and the young man the bet, decision, and treat went off pleasantly enough. The next morning, the second of the election, I was going into Visalia, and was met by a man regarded as one of the stoutest in the county and one of the most desperate. He asked me politely to let him look at the act I had read the day before. I handed the book to him, when he threw it on the ground, stamped his foot upon it, and raised over my head a hickory club with one blow of which he could have killed me outright; and I believe he would have struck me the blow, had not another very stout and fearless man coming up at the moment, behind him, caught and jerked his stick from him. How I did wish at the moment for a pistol or butcher knife. We had no six-shooters, or bowie-knives at that day. A kind providence which saved me several times before, and since, from being sent out of the world by accident, saved me from that man's violence.

I was but eighteen years of age, and had no business to be meddling in such matters. A few years afterwards that man and five or six others had been to Covington marketing and buying salt and groceries. On leaving for home they got into a drinking frolic, and as an old man and two young ones were passing the grocery, they went out and threw stones at them. The old man stopped on the road to see a justice of the peace and to get a warrant out against them. The justice was not at home, and as he came out into the road again, the drunken party came up. The old man shamed them for their conduct. My billy friend, as it was said, knocked the old man down, took up a stone, and with it broke his skull, so that he died in a few days thereafter. There was much excitement over it.

To my great surprise he employed me to aid in his defense, and I made my first effort at a speech in his behalf in the old court-house, which yet stands in all its dilapidated roughness on the public square at Newport. It was generally believed he would be found guilty of murder, and that he would be hung. But the trial showed how the smallest thing may save a man before a jury. We had learned, in our conversations with him, that he and another man in his company were dressed alike and were about the same size—that each wore a pair of blue jeans pants, was in his shirt sleeves, and wore a white fur hat—that the other man threw the stones at the grocery, as the old man and two young men were passing by; that this fact could be well proved; that they were all strangers to the deceased and his young friends. On the cross-examination of the young men, we got them to speak very particularly of the attack at the grocery, how many stones were thrown, the dress of the one who led in the attack, and then to describe the dress and appearance of the man who did the killing. They described the same dress and man at both places. I

quietly remarked (for I was cross-examining), then it was the man who led off in throwing the stones at the grocery, who struck the old man with the stone on the hill; and they both answered, it was the same man. We proved clearly that the man at the grocery was the other man with jeans clothes and white hat; we had the benefit, also, of an Indian, or root doctor's tinkering with the old man's fractured skull, and his use of what the witness called a spoon-handle (spathe) in pressing upon the broken fragments of bone, and clearing away the clotted blood and brains. One witness thought the doctor put his spoon-handle into the wound at least two or three inches. The wound was just over the eye, crushing the bones very much.

The man who led off at the grocery proved that the accused gave the blow on the hill. The other men were in the wagon, and did not notice how it was done or who did it.

A reasonable doubt was awakened in the minds of the jury, whether the accused did the killing, and he was acquitted. The spoon-handle figured extensively, and the root doctor came in for his share in bringing about the death. For if his spoon-handle was pushed into the man's head two inches it was enough to kill him of itself.

The poor old, weather-beaten father and mother of the prisoner were present, and their age and sorrow had their weight with the jury. The thanks of the poor old people was some recompense for my efforts in behalf of the son.

I am the only lawyer left who prosecuted or defended. The judge, and I believe every juror, is dead. What became of the accused I know not. Popular excitement led to several foolish things towards the jury. My associates were strongly condemned for lending their influence to such an acquittal, and I was excused and let off on account of my youth and inexperience.

It seems almost like a thing of last week, and yet many joys and sorrows have I felt and seen since the day of that trial; and that Newport, then a little town, has grown to be a great city, occupied and owned by a new people to me. Few, very few of the friends of my boyhood are to be seen upon its streets. But one besides myself of sixteen lawyers who belonged to the Campbell bar is living, and the last I heard of him he was trying, as he said, to keep a returned rebel from saying his prayers. May the Lord forgive him as well as the rebels, all their sins.

[From the Louisville Courier.]

## THE EXCLUSION OF THE SOUTHERN MEMBERS.

The action of the caucus of the Republican members of Congress on the subject of the disposition to be made of the claims of the members elect from the Southern States, shows very conclusively that those members are to be denied their seats, at least for the present session, and probably for the entire period of the Congress. That the action of the caucus will be confirmed by the House there can scarcely be a doubt. The friends of a reconstructed Union may, therefore, make up their minds at once to see all the hopes they have for months so fondly indulged, of the establishment of civil government in the States lately in rebellion, summarily overthrown, at the very point at which its final consummation was expected.

A committee of fifteen members, six of the Senate and nine of the House, are to have the subject in charge, with the privilege of making their report at such time as they may see proper. Mr. Colfax, who is to be the Speaker, will be very apt to appoint a committee on the part of the House whose views upon the subject accord with his own, and in all probability we shall get a report decisively unfavorable, if, indeed, we get any report at all. This is not precisely "the entertainment to which we were invited." The policy announced by the President had led the people of the Southern States to believe that if they adopted the measures dictated and suggested by the Government, they would be fully and fairly reinstated in the Union, upon full equality with the other States, and that the adoption of this policy would be accepted as a full atonement for their action during the last four years. These States have substantially and promptly adopted all the measures indicated, in the belief that the Government would deal with them in good faith and restore them to their civil and political rights.

The cup of humiliation they have been compelled to drink to the very dregs, and now the rude penalty and reward of their obedience is to be rudely refused. The Congress denies their right to representation in the National Legislature, and the President declines to restore them the privilege of the writ of *habeas corpus*. Who shall say that in view of the events of the past six months, in view of the promises that have been made to them, and their prompt conformity with the wishes of the Government in their votes and in their legislation, who can say that they have not been cruelly deceived, and that they have not just grounds of complaint?

They have adopted the Constitutional Amendment abolishing slavery, thus divesting themselves of four thousand millions of dollars' worth of property, and reducing thousands of their people to penury. They have repeated their acts of secession, and they have admitted the negroes to their courts and invested them with the legal right to testify. They have repudiated their State debts and have taken the oaths of allegiance and amnesty, and done every act required by the Government to purge them of their treason. And now, after doing all these things, and fulfilling all these requirements; after having fairly and honestly, and in good faith, executed their part of the contract, Congress coolly turns its back upon them and says, "Depart, you workers of iniquity, we know you not!"

Of course the Southern States will be compelled to submit. Those who are thus treating them know that they have no power to resent the outrage thus offered, and that they have no intention of making the attempt. It is well understood that they surrendered in good faith, and that they will be true to the promises and pledges they have made. It is therefore entirely safe to exult and triumph over them, and to repudiate the implied contract under which they reorganized their State governments and accepted the measures dictated by the Government.

But the South can afford to wait. The reign of radicalism must come to an end, and a returning sense of public justice will at last concede to the South every right she claims, and consign to everlasting infamy the men who now trample upon a gallant prostrate people.

## BILLIARD SALOON.

HAVING LEASED THE BILLIARD ROOM attached to the Capital Hotel, and thoroughly gutted the same and furnished it with good tables, I am prepared to accommodate all lovers of the game, day or night.

G. H. LANDO.

F RANKFORT, KENTUCKY, DECEMBER 7, 1865.

NO. 4.

## Proclamation by the Governor.

### \$1,500 REWARD.

COMMONWEALTH OF KENTUCKY, / EXECUTIVE DEPARTMENT,

WHEREAS, IT HAS BEEN MADE KNOWN to me that THOMAS JENKINS, ANTHONY SMITH, and JOHN BISHOP did, on the 19th of August, 1865, in the county of Estill, and in the town of Jackson, Benji, in Harlan County, Faust Johnson, of said county, and did also commit the crime of robbery and rape upon the person of Mrs. Gray, in Mercer county, and they now are fugitives from justice and going at large.

Now, therefore, I, THOMAS E. BRAMLETTE, Governor of the Commonwealth aforesaid, do hereby offer a reward of **Five Hundred Dollars** each for the apprehension of said Thomas Jenkins, Anthony Smith, and John Bishop, and their delivery to the jailer of Mercer county within one year from the date hereof.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Commonwealth to be affixed at Frankfort this 2d day of December, A. D. 1865, and in the 74th year of the Commonwealth.

By the Governor:

E. L. VAN WINKLE, Secretary of State.

By J. R. PAGE, Assistant Secretary.

### DESCRIPTION.

THOS. E. BRAMLETTE.

By the Governor:

E. L. VAN WINKLE, Secretary of State.

Attest: JAS. R. PAGE, Assistant Secretary.

### Proclamation by the Governor.

### \$200 REWARD.

COMMONWEALTH OF KENTUCKY, / EXECUTIVE DEPARTMENT,

WHEREAS, IT HAS BEEN MADE KNOWN to me that JAMES M. BRYANT did, on the 12th day of April, 1865, kill and murder John J. Washer, in Morgan County, Butler county, Ky., and has fled from justice.

Now, therefore, I, THOMAS E. BRAMLETTE, Governor of the Commonwealth of Kentucky, do hereby offer a reward of **Two Hundred Dollars** each for the apprehension of said James M. Bryant, and his delivery to the jailer of Butler county, within one year from the date hereof.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Commonwealth to be affixed at Frankfort this 9th day of November, A. D. 1865, and in the 74th year of the Commonwealth.

By the Governor:

E. L. VAN WINKLE, Secretary of State.

Attest: JAS. R. PAGE, Assistant Secretary.

### Proclamation by the Governor.

### \$200 REWARD.

COMMONWEALTH OF KENTUCKY, / EXECUTIVE DEPARTMENT,

WHEREAS, IT HAS BEEN MADE KNOWN to me that JOHN SANDERS stands indicted by the Grand Jury of the Circuit Court for the killing of Joshua Ellis, and the said JOHN SANDERS is now a fugitive from justice and going at large.

Now, therefore, I, RICHARD T. JACOB, Lieutenant and acting Governor of the Commonwealth aforesaid, do hereby offer a reward of **Two Hundred Dollars** each for the apprehension of the said JOHN SANDERS and his delivery to the jailer of Boone county, within one year from the date hereof.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Commonwealth to be affixed at Frankfort this 20th day of September, A. D. 1865, and in the 74th year of the Commonwealth.

By the Governor:

E. L. VAN WINKLE, Secretary of State.

Attest: JAS. R. PAGE, Assistant Secretary.

### Proclamation by the Governor.

### \$200 REWARD.

COMMONWEALTH OF KENTUCKY, / EXECUTIVE DEPARTMENT,

WHEREAS, IT HAS BEEN MADE KNOWN to me that JAMES LAWSON was indicted in the Mercer Circuit Court for murdering one Bob Bosley, of Mercer County, and the said JAMES LAWSON has fled from justice and going at large.

Now, therefore, I, THOMAS E. BRAMLETTE, Governor of the Commonwealth of Kentucky, do hereby offer a reward of **Three Hundred Dollars** each for the apprehension of the said JAMES LAWSON, and his delivery to the jailer of Mercer county, within one year from the date hereof.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Commonwealth to be affixed at Frankfort this 24th day of October, A. D. 1865, and in the 74th year of the Commonwealth.

By the Governor:

E. L. VAN WINKLE, Secretary of State.

Attest: JAS. R. PAGE, Assistant Secretary.

### Proclamation by the Governor.

### \$200 REWARD.

COMMONWEALTH OF KENTUCKY, / EXECUTIVE DEPARTMENT,

WHEREAS, IT HAS BEEN MADE KNOWN to me that BEN JOHNSON, of the county of Hart, did, on the 6th day of November, 1865, maliciously shoot and kill Samuel Malfield, of said county, and he is now a fugitive from justice, going at large.

Now, therefore, I, THOMAS E. BRAMLETTE, Governor of the Commonwealth of Kentucky, do hereby offer a reward of **Two Hundred and Fifty Dollars** for the apprehension of the said Ben Johnson, with his delivery to the jailer of Hart county, within one year from the date hereof.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Commonwealth to be affixed at Frankfort this 15th day of November, A. D. 1865, and in the 74th year of the Commonwealth.

By the Governor:

E. L. VAN WINKLE, Secretary of State.

Attest: JAS. R. PAGE, Assistant Secretary.

### Proclamation by the Governor.

### \$200 REWARD.

COMMONWEALTH OF KENTUCKY, / EXECUTIVE DEPARTMENT,

WHEREAS, IT HAS BEEN MADE KNOWN to me that ROBERT G. TURNER did, on November 12, 1865, murder Polk Bond whilst in the discharge of his official duties in the city of Louisville, Ky., and is now a fugitive from justice.

Now, therefore, I, THOMAS E. BRAMLETTE, Governor of the Commonwealth of Kentucky, do hereby offer a reward of **One Hundred and Fifty Dollars** each for the apprehension of the said Robert G. Turner, with his delivery to the jailer of Logan county, within one year from the date hereof.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Commonwealth to be affixed at Frankfort this 29th day of November, A. D. 1865, and in the 74th year of the Commonwealth.

By the Governor:

E. L. VAN WINKLE, Secretary of State.

Attest: JAS. R. PAGE, Assistant Secretary.

### Proclamation by the Governor.

### \$200 REWARD.

COMMONWEALTH OF KENTUCKY, / EXECUTIVE DEPARTMENT,

WHEREAS, IT HAS BEEN MADE KNOWN to me that ROBERT WISEMAN did, on the 30th day of October, 1865, maliciously shoot and kill Clifton White, of said county, and the said Robert Wiseman is now a fugitive from justice, going at large.

Now, therefore, I, THOMAS E. BRAMLETTE, Governor of the Commonwealth of Kentucky, do hereby offer a reward of **Two Hundred and Fifty Dollars** each for the apprehension of the said Robert Wiseman, and his delivery to the jailer of Estill county, within one year from the date hereof.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Commonwealth to be affixed at Frankfort this 8th day of November, A. D. 1865, and in the 74th year of the Commonwealth.

By the Governor:

# DAILY KENTUCKY YEOMAN.

## PRESIDENT'S MESSAGE

Fellow-citizens of the Senate and House of Representatives:

To express gratitude to God, in the name of the people, for the preservation of the United States, is my first duty in addressing you. Our thoughts next revert to the death of the late President by an act of parricidal treason. The grief of the nation is still fresh; it finds some solace in the consideration that he lived to enjoy the highest proof of its confidence, by entering on the renewed term of the Chief Magistracy, to which he had been elected; that he brought the civil war substantially to a close; that his loss was deplored in all parts of the Union; and that foreign nations have rendered justice to his memory. His removal cast upon me a heavier weight of care than ever devolved upon any one of his predecessors. To fulfill my trust I need the support and confidence of all who are associated with me in the various departments of Government, and the support and confidence of the people. There is but one way in which I can hope to gain their necessary aid; it is, to state with frankness the principles which guide my conduct, and their application to the present state of affairs, well aware that the efficiency of my labors will, in a great measure, depend on your and their undivided approbation.

The Union of the United States of America was intended by its authors to last as long as the States themselves shall last. "THE UNION SHALL BE PERPETUAL" are the last words of the Confederation. "TO FORM A MORE PERFECT UNION," by an ordinance of the people of the United States, is the declared purpose of the Constitution. The hand of Divine Providence was never more plainly visible in the affairs of men than in the framing and the adopting of that instrument. It is, beyond comparison, the greatest event in American history; and indeed is it not, of all events in modern times, the most pregnant with consequences for every people of the earth? The members of the Convention which prepared it brought to their work the experience of the Confederation, of their several States, and of other Republican Governments, old and new, but they needed and they obtained a wisdom superior to experience. And when, for its validity, it required the approval of a people that occupied a large part of a continent and acted separately in many distinct conventions, what is more wonderful than that, after earnest contention and long discussion, all feelings and all opinions were ultimately drawn in one way to its support?

The Constitution to which life was thus imparted contains within itself ample resources for its own preservation. It has power to enforce laws, punish treason, and insure domestic tranquility. In case of the usurpation of the Government of a State by one man, or an oligarchy, it becomes a duty of the United States to make good the guarantee to that State of a republican form of government, and so to maintain the homogeneity of all. Does the lapse of time reveal defects? A simple mode of amendment is provided in the Constitution itself, so that its conditions can always be made to conform to the requirements of advancing civilization. No room is allowed even for the thought of a possibility of its coming to an end. And these powers of self-preservation have always been asserted in their complete integrity by every patriotic Chief Magistrate—by Jefferson and Jackson, not less than by Washington and Madison. The parting advice of the Father of his Country, while yet President, to the people of the United States, was, that "the free Constitution, which was the work of their hands, might be sacredly maintained;" and the inaugural words of President Jefferson held up "the preservation of the General Government, in its constitutional vigor, as the sheet anchor of our peace at home and safety abroad." The Constitution is the work of "the people of the United States," and it should be as indestructible as the people.

It is not strange that the framers of the Constitution, which had no model in the past, should not have fully comprehended the excellence of their own work. Fresh from a struggle against arbitrary power, many patriots suffered from harassing fears of an absorption of the State Governments by the General Government, and many from a dread that the States would break away from their orbits. But the very greatness of our country should allay the apprehension of encroachments by the General Government. The subjects that come unquestionably within its jurisdiction are so numerous, that it must ever naturally refuse to be embarrassed by questions that lie beyond it. Were it otherwise, the Executive would sink beneath the burden; the channels of justice would be choked; legislation would be obstructed by excess; so that there is a greater temptation to exercise some of the functions of the General Government through the States, than to trespass on their rightful sphere. "The absolute acquiescence in the decisions of the majority" was, at the beginning of the century, enforced by Jefferson "as the vital principle of republics," and the events of the last four years have established, we will hope forever, that there lies no appeal to force.

The maintenance of the Union brings with it "the support of the State Governments in all their rights," but it is not one of the rights of any State Government to renounce its own place in the Union, or to nullify the laws of the Union. The largest liberty is to be maintained in the discussion of the acts of the Federal Government; but there is no appeal from its laws, except to the various branches of that Government itself, or to the people, who grant to the members of the Legislature and of the Executive Departments no tenure but a limited one, and in that manner always retain the powers of respite.

"The sovereignty of the States" is the language of the Confederacy, and not the language of the Constitution. The latter contains the emphatic words: "The Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution of any State to the contrary notwithstanding."

Certainly the Government of the United States is a limited government; and so is every State government a limited government. With us, this idea of limitation spreads through every form of administration, general, State, and municipal, and rests on the great distinguishing principle of the recognition of the rights of man. The ancient republics absorbed the individual in the State, prescribed his religion, and controlled his activity. The American system rests on the assertion of the equal right of every man to life, liberty, and the pursuit of happiness; to freedom of conscience, to the culture and exercise of all his faculties. As a consequence, the State Government is limited, as to the General Government in the interest of Union, as to the individual citizen in the interest of freedom.

States, with proper limitations of power, are essential to the existence of the Constitution of the United States. At the very commencement, when we assumed a place among the powers of the earth, the Declaration of Independence was adopted by States; so also, were the articles of confederation; and when "the people of the United States" ordained and established the Constitution, it was the assent of the States, one by one, which gave it vitality. In the event, too, of any amendment to the Constitution, the position of Congress needs the confirmation of States. Without States one great branch of the legislative government would be wanting. And, if we look beyond the letter of the Constitution to the character of our country, its capacity for comprehending within its jurisdiction a vast continental empire is due to the system of States. The best security for the perpetual existence of the States is the "supreme authority" of the Constitution of the United States. The perpetuity of the Constitution brings with it the perpetuity of the States; their mutual relation makes us what we are, and in our political system their connection is indissoluble. The whole cannot exist without the parts, nor the parts without the whole. So long as the Constitution of the United States endures, the States will endure; the destruction of the one is the destruction of the other; the preservation of the one is the preservation of the other.

I explained my views of the mutual Constitution and the States, because the principles on which I have

sought to solve the momentous question and overcome the appalling difficulties that met me at the very commencement of my administration. It has been my studious object to escape from the sway of momentary passions, and to derive a healing policy from the fundamental and unchanging principles of the Constitution.

I found the States suffering from the effects of a civil war. Resistance to the General Government appeared to have exhausted itself. The United States had recovered possession of their forts and arsenals, and their armies were in the occupation of every State which had attempted to secede. Whether the territory within the limits of those States should be held as conquered territory, under military authority emanating from the President as the head of the army, was the first question that presented itself for decision.

Now, military governments, established for an indefinite period, would have offered no security for the early suppression of discontent; would have divided the people into the vanquished and the vanquished; and would have envenomed hatred, rather than have restored affection. Once established, no precise limit to their continuance was conceivable. They would have occasioned an incalculable and exhausting expense. Peaceful emigration to and from that portion of the country is one of the best means that can be thought of in the restoration of harmony; and that emigration would have been prevented; for what emigrant from abroad, what industrious citizen at home, would place himself under military rule? The chief persons who would have been dependents on the General Government, or men who expected profit from the miseries of their erring fellow-citizens. The powers of patronage and rule which would have been exercised, under the President, over a vast, and populous, and naturally wealthy region, are greater than, unless under extreme necessity, they are such as, for myself, I could never, unless on occasions of great emergency, consent to exercise. The wilful use of such powers, if continued through a period of years, would have endangered the purity of the general administration and the liberties of the States which remained loyal.

Besides, the policy of military rule over a conquered territory would have implied that the States whose inhabitants may have taken part in the rebellion had, by the act of those inhabitants, ceased to exist. But the true theory is, that all pretended acts of secession were from the beginning, null and void. The States cannot commit treason, nor screen the individual citizens who may have committed treason, any more than they can make valid treaties or engage in lawful commerce with any foreign power. The States attempting to secede placed themselves in a condition where their vitality was impaired, but not extinguished—their functions suspended, but not destroyed.

But if any State neglects or refuses to perform its offices, there is the more need that the General Government should maintain all its authority, and, as soon as practicable, resume the exercise of all its functions. On this principle I have acted, and have gradually and quietly, and by almost imperceptible steps, sought to restore the rightful energy of the General Government and of the States. To that end, Provisional Governors have been appointed for the States, Conventions called, and Governors elected. Legislatures assembled, and Senators and Representatives chosen to the Congress of the United States. At the same time, the courts of the United States, as far as could be done, have been reopened, so that the laws of the United States may be enforced through their agency. The blockade has been removed and the custom houses re-established in ports of entry, so that the revenue of the United States may be collected. The Postoffice Department reviews its ceaseless activity, and the General Government is thereby enabled to communicate promptly with its officers and agents. The courts bring security to persons and property; the opening of the ports invites the restoration of industry and commerce; the postoffices review the facilities of social intercourse and of business. And it is not happy for us all, that the restoration of each one of these functions of the General Government brings with it a blessing to the States over which they are extended? Is it not a sure promise of harmony and renewed attachment to the Union that, after all that has happened, the return of the General Government is known only as a benefice?

I know very well that this policy is attended with some risk; that for its success it requires at least the acquiescence of the States which it concerns; that it implies an invitation to those States, by renewing their allegiance to the United States, to resume their functions as States of the Union. But it is a risk that must be taken; in the choice of difficulties, it is the smallest risk; and to diminish, and, if possible, to remove all danger, I have felt it incumbent on me to assert one other power of the General Government—the power of pardon. As no State can throw a defense over the crime of treason, the power of pardon is exclusively vested in the Executive Government of the United States. In exercising that power, I have taken every precaution to connect it with the clearest recognition of the binding force of the laws of the United States, and it is not happy for us all, that the restoration of the General Government through the States, than to trespass on their rightful sphere. "The absolute acquiescence in the decisions of the majority" was, at the beginning of the century, enforced by Jefferson "as the vital principle of republics," and the events of the last four years have established, we will hope forever, that there lies no appeal to force.

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"The sovereignty of the States" is the language of the Confederacy, and not the language of the Constitution. The latter contains the emphatic words: "The Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution of any State to the contrary notwithstanding."

Certainly the Government of the United States is a limited government; and so is every State government a limited government. With us, this idea of limitation spreads through every form of administration, general, State, and municipal, and rests on the great distinguishing principle of the recognition of the rights of man. The ancient republics absorbed the individual in the State, prescribed his religion, and controlled his activity. The American system rests on the assertion of the equal right of every man to life, liberty, and the pursuit of happiness; to freedom of conscience, to the culture and exercise of all his faculties. As a consequence, the State Government is limited, as to the General Government in the interest of Union, as to the individual citizen in the interest of freedom.

States, with proper limitations of power, are essential to the existence of the Constitution of the United States. At the very commencement, when we assumed a place among the powers of the earth, the Declaration of Independence was adopted by States; so also, were the articles of confederation; and when "the people of the United States" ordained and established the Constitution, it was the assent of the States, one by one, which gave it vitality. In the event, too, of any amendment to the Constitution, the position of Congress needs the confirmation of States. Without States one great branch of the legislative government would be wanting. And, if we look beyond the letter of the Constitution to the character of our country, its capacity for comprehending within its jurisdiction a vast continental empire is due to the system of States. The best security for the perpetual existence of the States is the "supreme authority" of the Constitution of the United States. The perpetuity of the Constitution brings with it the perpetuity of the States; their mutual relation makes us what we are, and in our political system their connection is indissoluble. The whole cannot exist without the parts, nor the parts without the whole. So long as the Constitution of the United States endures, the States will endure; the destruction of the one is the destruction of the other; the preservation of the one is the preservation of the other.

I explained my views of the mutual Constitution and the States, because the principles on which I have

fully vindicated; the States clearly established and affirmed that treason is a crime, that traitors should be punished and the offense made infamous; and, at the same time, that the question may be judicially settled, finally and for ever, that no State of its own will has the right to pronounce its place in the Union.

The relations of the General Government towards the four millions of inhabitants whom the war has called into freedom, have engaged my most serious consideration. On the propriety of attempting to make the freedmen electors by the proclamation of the Executive, I took for my counsel the Constitution itself, the interpretation of that instrument by its authors and their contemporaries, and recent legislation by Congress. When, at the first movement towards independence, the Congress of the United States instructed the several States to institute governments of their own, they left each State to decide for itself the conditions for the enjoyment of the elective franchise. During the period of the Confederacy, there continued to exist a very great diversity in the qualifications of electors in the several States; and even within a State a distinction of qualifications prevailed with regard to the officers who were to be chosen. The Constitution of the United States recognizes these diversities, when it enjoins that, in the choice of members of the House of Representatives of the United States, "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature." After the formation of the Constitution, it remained, as before, the uniform usage for each State to enlarge the body of its electors, according to its own judgment; and, under this system, one State after another has proceeded to increase the number of its electors, until now universal suffrage, or something very near it, is the general rule. So fixed was this reservation of power in the habits of the people, and so unquestioned has been the interpretation of the Constitution, that during the civil war the late President never harbored the purpose—certainly never avowed the purpose—of disregarding it; and in the acts of Congress during that period, nothing can be found which, during the continuance of hostilities, much less after their close, would have sanctioned any departure by the Executive from a policy which has so uniformly obtained. Moreover, concession of the elective franchise to the freedmen, by act of the President of the United States, must have been extended to all colored men, wherever found, and so must have established a change of suffrage in the Northern, Middle, and Western States, not less than in the Southern and Southwestern. Such an act would have created a new class of voters, and would have been an assumption of power by the President which nothing in the Constitution or laws of the United States would have warranted.

On the other hand, every danger of conflict is avoided when the settlement of the question is referred to the several States. They can, each for itself, decide on the measure, and whether it is to be adopted at once and absolutely, or introduced gradually and with conditions. In my judgment, the freedmen, if they show patience and many virtues, will sooner obtain a participation in the elective franchise through the States than through the General Government, even if it had power to intervene. When the tumult of emotions that have been raised by the suddenness of the social change shall have subsided, it may prove that they will receive the kindest usage from some of those on whom they have heretofore most closely depended.

But while I have no doubt that now, after the close of the war, it is not competent for the General Government to extend the elective franchise in the several States, it is equally clear that good faith requires the security of the freedmen in their liberty and their property, their right to labor, and their right to claim the just return of their labor. I cannot too strongly urge a disproportionate treatment of this subject, which should be carefully kept aloof from all party strife. We must equally avoid hasty assumptions of any natural impossibility for the two races to live side by side, in a state of mutual benefit and good will. The experiment involves us in no inconsistency; let us, then, go on and make that experiment in good faith, and not be too easily disheartened. The country is in need of labor, and the freedmen are in need of employment, culture, and protection. While their right of voluntary migration and separation is not to be questioned, I would not advise their forced removal and colonization. Let us, rather, encourage them to honorable and useful industry, where it may be beneficial to themselves and to the country; and, instead of hasty anticipations of certainty of failure, let there be nothing wanting to the fair trial of the experiment. The change in their condition is the substitution of labor by contract for the status of slavery. The freedmen cannot fairly be accused of unwillingness to work, so long as a doubt remains about their freedom of choice in his pursuits, and the certainty of his recovering his stipulated wages. In this the interests of the employer and the employee coincide. The employer desires in his workmen spirit and alacrity, and these can be permanently secured in no other way. And if the one ought to be able to enforce the contract, so ought the other. The public interest will be best promoted, if the several States will provide a adequate protection and remedies for the freedmen. Until this is in some way accomplished, there is no chance for the advantageous use of their labor, and the blame of ill success will rest on them.

I speak, from the report of the Postmaster General presents an encouraging exhibit of the operations of the Postoffice Department during the year. The revenues of the past year from the loyal States alone exceeded the maximum annual receipts from all the States previous to the rebellion, in the sum of \$6,038,991; and the annual average increase of revenue during the last four years, compared with the revenues of the four years immediately preceding the rebellion, was \$3,533,45. The revenues of the last fiscal year amounted to \$1,436,15, and the expenditures to \$1,64,725, leaving a surplus of receipts over expenditures of \$-61,430. Progress has been made in restoring the postal service in the Southern States. The views presented by the Postmaster General against the policy of granting subsidies to ocean mail steamship lines upon established routes, and in favor of continuing the present system, which limits the compensation for ocean service to the postage earnings, are recommended to the careful consideration of Congress.

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government; and that form of government, by the confession of European statesmen, "gives a power of which no other form is capable, because it incorporates every man with a State, and arouses everything that belongs to the soul."

Where, in past history, does a parallel exist to the public happiness which is within the reach of the people of the United States? Where, in any part of the globe, can institutions be found so suited to their habits, or so entitled to their love, as their own free Constitution? Every one of them, then, in whatever part of the land he has his home, must wish its perpetuity. Who of them will not now acknowledge in the words of Washington, that "every step by which the people of the United States have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency?" Who will not join with me in the prayer, that the invisible hand which has led us through the clouds that gloomed around our path, will so guide us onward to a perfect restoration of fraternal affection, that we of this day may be able to transmit our great inheritance of State Governments in all their rights, of the General Government in its whole constitutional vigor, to our posterity, and to theirs through countless generations?

ANDREW JOHNSON.

Washington, Dec. 4, 1865.

## DAILY KENTUCKY YEOMAN.

EDITED AND PUBLISHED BY  
**S. I. M. MAJOR.**

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THURSDAY ..... DECEMBER 7, 1865.

Order to keep Thanksgiving Day  
privately, there will be no paper issued from  
this office to-morrow.

We give up nearly all our columns to-day to the publication of the President's Message; and yesterday, to correct the typographical arrangement of the Governor's Message, we had to republish that document. We shall have occasion hereafter to comment upon both.

### Thanksgiving Proclamation.

COMMONWEALTH OF KENTUCKY,  
EXECUTIVE DEPARTMENT,

The War that ensanguined our fields with the blood of brothers, and pierced the bosom of our homes, with the anguish of grief, is o'erpast; and Peace—"Gentle Peace"—hath spread her balmy wings over all our beloved land.

We this day rejoice in Peace returned—the Union preserved—and the Government restored. A kind Providence has added the blessing of abundant harvests.

We may well say, "Thou crownest the year with Thy goodness; and Thy paths drop fatness." "The pastures are clothed with flocks, the valleys are covered with corn; they shout for joy; they also sing."

THURSDAY, THE 7TH DAY OF DECEMBER NEXT, has been set apart, by Proclamation of the President of the United States, as a day of National Thanksgiving. Let all the citizens of Kentucky unite in keeping and observing the day accordingly. "Lift up your hands in the Sanctuary and bless the Lord."

Given under my hand and the Seal of State, at the Executive Office, in Frankfort, November 7th, 1865.

THOS. E. BRAMLETTE,  
By the Governor:

E. L. VAN WINKLE, Secretary of State.

MURDER TRIAL.—The trial of Alexander Warren for the murder of B. C. Blinco, in Lexington some years ago, was to have commenced at Harrodsburg last evening. Commonwealth's attorney Noble, and Messrs Gaither and How, of Harrodsburg, and R. H. Prewitt, of that city, will appear for the prosecution, assisted by Col. Wickliffe Cooper, while the defence will be represented by Messrs. J. B. Beck and Willard Davis, of that city, with, perhaps, other eminent lawyers.

The trial will, doubtless, be an interesting one, and will occupy some ten or fifteen days. It is highly important that all the witnesses should be present.

THE BURNETT HOUSE.—We see by the Cincinnati papers that the Burnett House, of that city, has been sold to S. N. Pike, for \$500,000. We presume that this will not affect our old friend Silas Miller, who is still the popular host of this popular hotel.

LAWRENCE, KANSAS, December 1.

An army of two hundred Cheyenne and Apaches Indians attacked the coach on the Butterfield's Express route on Saturday last, near Dowdner's Spring, and killed six passengers and an express messenger named M. Erwin. After burning the coach, they went to Downer's Spring and Bluff Star and burned all the buildings and stole or destroyed all the goods and other property. One of the passengers killed three Indians, but was afterward shot, had his head cut, and badly burned over a slow fire.

An innkeeper lately complaining to a gentleman, that his house was greatly infested with rats, and that he would willingly give a considerable sum to get rid of them, was on the following morning thus accosted by a Frenchman, after he had received his bill. "I will assure you, sir, I shall tell you vich you shall get rid of me rat." "I shall be much obliged to you if you can," replied the landlord. "Well, don, on charge de rat as you charge me, and I'll be hanged if de rat ever come to your house again."

SEIZURE OF A TOBACCO FACTORY.—We understand that the tobacco factory of Thos. E. Bassett & Co., was yesterday seized by the officers of the Internal Revenue, in impounding the stock required to be kept in manufacture of tobacco, as for making false and fraudulent returns to the Assessor. The case is still under investigation.—Louisville Press.

### MARRIED.

In this place, yesterday, by Rev. John S. Hayes, of the Presbyterian Church, at the residence of the bride's father, Maj. Lyne Starling, Mr. ROBERT L'EPERRE to Miss Lizzie STARLING, both of Frankfort.

## KENTUCKY LEGISLATURE.

### Senate.

FRANKFORT, Dec. 6, 1865.

Prayer by Rev. Mr. CRUTCHER, of the Christian Church.  
The reading of the journal was dispensed with.

### PETITIONS

Were presented by Lt. GOV. JACOB, and Messrs. J. D. LANDRUM, HARRISON, and MORROW, and referred.

### NEW SENATORS.

Messrs. A. S. ALLAN, W. W. MCKENZIE, and R. T. BAKER, new Senators, appeared, were qualified, and took their seats.

### REPORTS OF COMMITTEES.

Mr. DUDLEY, from the Contested Election Board of Thomson vs. Allan, asked to be discharged on the ground that the law does not permit the charge of military interference to be entertained by the Board. The committee was discharged.

Mr. BRUNER moved to refer the whole matter to the Committee on Privileges and Elections.

Mr. PRALL moved to amend, by requiring the committee to inquire into the facts as to whether military interference was used in any other Senatorial election, either in 1865 or in 1861.

Mr. HELM moved, as a substitute for both propositions, that all the contested election boards be discharged from the consideration of the cases, and that they all be referred to the Committee on Elections.

Mr. BRUNER withdrew his motion.

Mr. PRALL's amendment was then rejected by the following vote, viz:

YEAS—Messrs. Baker, Benton, Black, Cardwell, Chiles, Cook, Groggin, Landrum, Landrum, Morrow, Patrick, Prall, and Wm. J. Worthington—13.

NAYS—Messrs. Botts, Bruner, Chandler, Cleveland, Coffey, Cosby, Dudley, Gardner, Garrett, Gorin, Grainger, Hammond, Harrison, Helm, O. P. Johnson, Wm. Johnson, Lilly, McKenzie, Riffe, Stone, Swigert, C. T. Worthington, and Wright—23.

Mr. BRUNER's motion was then adopted.

### MESSAGE FROM THE GOVERNOR.

A message was received from the Governor, transmitting joint resolutions adopted by the Legislature of Vermont in relation to the reconstruction of the States recently in rebellion.

Ordered to be printed, and referred to Committee on Federal Relations.

REPORT FROM SELECT COMMITTEE.

Mr. J. J. LANDRUM—Select Committee—To amend an act to incorporate the Warsaw Male College. Passed.

Mr. CLEVELAND—Select Committee—To amend the charter of the Bank of Hopkinsville. Passed.

Mr. DUDLEY—Select Committee—To supply lost or destroyed records in the Court of Appeals. Passed.

Mr. PRALL—Select Committee—To amend the law to regulate corporations in Kentucky. (Corporations in which the State has no stock not to report to the Auditor, as now required by law; nor local corporations, other than banking companies.) Referred to the Finance Committee.

Mr. GRAINGER—Select Committee—To amend the charter of the First City Bank. Referred to the Judiciary Committee.

### LEAVES.

Leave was given to bring in the following bills, which were appropriately referred, viz:

Mr. CHANDLER—To amend the law of husband and wife.

Same—to repeal the law requiring teachers and officers to take the oath.

### RESOLUTIONS.

Mr. J. J. LANDRUM offered a resolution referring the Governor's Message to appropriate committees.

Same—a resolution providing for the election of a United States Senator on the 12th instant. Lies one day on the table.

### LEAVE OF ABSENCE.

Was granted Mr. GRAINGER indefinitely. Adjourning until Friday at 10 o'clock.

IN HOUSE OF REPRESENTATIVES.

WEDNESDAY, Dec. 6, 1865.

Prayer by the Rev. JOHN S. HAYS, of the Presbyterian Church.

### ADDITIONAL MEMBER.

Mr. GEO. H. WHITTEN, the member elect from the counties of Floyd and Johnson, was qualified and took his seat.

The journal of yesterday was read.

### PREAMBLE AND RESOLUTION.

Mr. BELL offered the following preamble and resolution, which were adopted, viz:

WHEREAS, The President of the United States has recommended to all the people of the States that they should observe Thursday, the 7th day of the present month, as a day of national thanksgiving and prayer, and the Governor of Kentucky has, in accordance with this recommendation, requested that the citizens of this State should respect that proclamation, and join in the national thanksgiving and prayer. This House concurs in opinion as to the propriety of this request; and, therefore,

Resolved, That when it adjourns to-day, it will adjourn to meet on Friday, the 8th inst., at 10 o'clock, A. M.

### PETITIONS.

Mr. MCHENRY presented the petition of Wm. A. Brann, contesting the seat of James Wilson, of the county of Pendleton.

Mr. SIMMS presented the petition of James H. Leech, contesting the seat of Francis Gardner, of the county of Caldwell.

### MESSAGE FROM THE GOVERNOR.

Was received by Mr. Van Winkle, Secretary of State, transmitting resolutions from the State of Vermont, in relation to secession.

Ordered to be printed, and referred to the Committee on Federal Relations.

Mr. HAWTHORN—To extend the corporate limits of the city of Newport.

### LEAVE TO BRING IN BILLS.

Leave was given to bring in the following bills, which were appropriately referred:

Mr. R. T. DAVIS—To amend an act to authorize the city of Paris to raise a fund for the support of public schools.

Same—for the benefit of Paris and Jacktown turnpike road company.

Same—to create a Soldiers' Relief Fund for Bourbon county.

Same—to amend the charter of the city of Paris.

Same—to repeal an act requiring certain officers and teachers of this Commonwealth to take an oath of office.

Mr. BIRCHETT—For the benefit of R. F. Vinson, clerk of Lawrence county court.

Mr. BELL—To prevent military authorities from interfering with elections.

Mr. HARLAN—To change the line between Owen and Franklin counties.

Same—to change the line between Franklin and Anderson.

Mr. JOSIAH VEECH—To incorporate the Kentucky Lubricating Oil Company.

Mr. STOUT—To increase the salaries of judges in this Commonwealth.

Same—to incorporate the Concordia Club.

Mr. PATRICK—Benefit of Wm. Blair, of Magoffin county.

Mr. BUSH—To amend the existing laws in regard to injunctions against judgments.

Mr. BAKER—For the benefit of Benj. Nolan, administrator of late clerk of Harlan county.

Mr. BUCKNER—To amend the 13th article of chap. 27, of the Rev. Stats., title "Courts."

Same—to amend an act, entitled "An act to amend the revenue laws of this Commonwealth."

Mr. BRADLEY—For the benefit of William Herin, late sheriff of Fulton county.

Mr. WOOD—To charter the Chaplin and Anderson Canal Turnpike Road Company.

Mr. RODMAN—To create an additional voting place in Lurene county.

Mr. BRUCE—For the benefit of Jas. H. Davey, Anthony Evans, and Thomas Nolen.

Mr. THOMAS—To incorporate the town of Loretto, in Marion county.

Mr. RIGGS—For the benefit of John Conklin, late clerk of the Monroe county court.

Mr. MCILLEN—To authorize the surplus "Volunteer Fund" in Nicholas county, to be applied to the payment of the county subscription of stock to the Carlisle and Sharpsburg turnpike road, and other purposes.

Mr. LILLARD—To amend section 3, chapter 63, of Revised Statutes.

Same—to repeal an act, entitled "An act to amend the jury laws of this Commonwealth."

Mr. PARROTT—Giving the trustees of Campbellsville, Ky., the power of granting coffee-house licenses.

Mr. MCHENRY—For the benefit of Jas. R. Hughes, deceased, late clerk of Union county.

Same—for the benefit of Thos. Conway, late sheriff of Union county.

Same—to incorporate Morgantown Lodge, No. 66, of Free and Accepted Masons.

Same—to incorporate a company to build a bridge across Tradewater river, in the counties of Union and Crittenden.

Mr. MCHENRY offered a resolution allowing seats on this floor to gentlemen contesting the seats of sitting members. Adopted.

SPECIAL ORDER.

A resolution to raise a committee to hear the proof in the various cases of contested seats.

They were all taken up and referred to the Committee on Elections.

A MESSAGE FROM THE SENATE.

Was received by Mr. Bruner, asking the concurrence of this House to a Senate bill, entitled "An act to amend the charter of the Bank of Hopkinsville."

Mr. MCHENRY—For the benefit of Jas. R. Hughes, deceased, late clerk of Union county.

Same—for the benefit of Thos. Conway, late sheriff of Union county.

Same—to incorporate the Bank of Hopkinsville.

Mr. MCILLEN—For the benefit of Jas. R. Hughes, deceased, late clerk of Union county.

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Same—to incorporate the Bank of Hopkinsville.

Mr. MCILLEN—For the benefit of Jas.

